

REMARKS

In the Office action mailed on January 16, 2004, claims 24-25 and 28-29 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Taylor in view of Terpstra. Claims 26-27 were rejected as being unpatentable under the same references, and further in view of Vogl et al.

Applicant disagrees that it would be obvious to a person of ordinary skill in the art to combine the references to produce the invention, as claimed in any of the pending claims. However, for the purpose of advancing prosecution while reserving all rights to prosecute the claims as originally filed in a continuation application, applicant has amended claim 24 to include the limitations of claim 26 and to also add further language to clarify important distinctions between the claimed invention and the cited art.

Even if it were obvious to combine Taylor, Terpstra, and Vogl, as suggested, the claimed invention would not be produced. Amended claim 24 states that "each side skirt pivots and slides relative to a single point on the side panel." In contrast, Vogl's side guard pivots and slides relative to different points, not a single point, as claimed. See Figure 5 in Vogl where guard 35 slides relative to pin 42, and pivots relative to pin 36. In essence, pin 36 prevents pivoting of guard 35 around pin 42. Therefore, the cited references cannot be combined to produce the invention, as claimed.

As shown, in Figures 3A-C from the application, the single point side skirt connection provides greater degrees and range of movement to accommodate a workpiece moving through the sawing area, thus minimizing extraneous air intake and further enhancing the overall efficiency of the vacuum system. As now recited in amended claim 24, the air intake opening is permitted to drop behind a trailing edge of the workpiece while the side skirts are supported on

a top surface of the workpiece as it moves through the cutting area. This would not be possible if the side skirts were attached at two points, as with Vogl's guards.

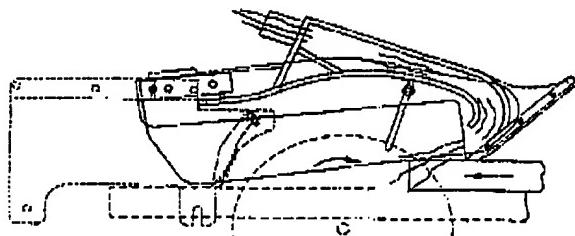


FIG. 3A

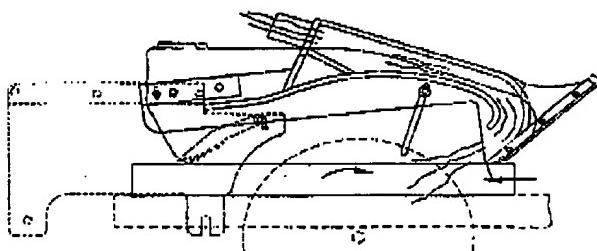


FIG. 3B

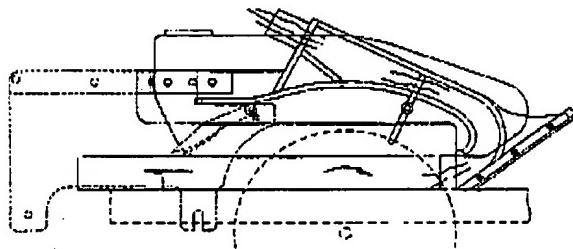


FIG. 3C

Applicant respectfully requests entry of the above amendments, withdrawal of the rejections and allowance of all the pending claims.

Applicant thanks the Examiner for his time in the interview with Applicant's attorney on April 20, 2004. The Examiner indicated that the amendment appeared to overcome the rejection based on cited art. Please contact Applicant's attorney if there are any other issues to address.

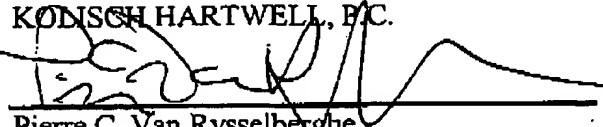
CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being sent via facsimile to Examiner Stephen Choi, Art Unit 3724, facsimile number (703) 746-3287 on April 27, 2004.

  
Pamela A. Knight

Date of Signature: April 27, 2004

Respectfully submitted,

  
KOLISCH HARTWELL, P.C.

Pierre C. Van Rysselberghe  
Registration No. 33,557  
Customer PTO No. 23581  
of Attorneys for Applicant  
200 Pacific Building  
520 SW Yamhill Street  
Portland, Oregon 97204  
Telephone: (503) 224-6655  
Facsimile: (503) 295-6679